

**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues
Against:
Oliver B. Williams, Ph.D.
3600 S. Harbor Blvd., #86
Oxnard, CA 93055

Case No. X-38

OAH No. L-2000070309

Applicant/Respondent.


DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Psychology, as its Decision in the above-entitled matter.

This Decision shall become effective only upon such time, if any, that the Board determines that respondent has successfully completed and passed all examinations, all educational requirements, and all experience requirements, as well as any and all other requirements mandated by statute or regulation for obtaining a Psychologist's License.

However, even in the event that this Decision has by then not yet become effective, respondent shall, in accordance with condition Number 1 of the Disciplinary Order, submit to a psychological evaluation (and psychological testing, if deemed necessary) by a Board-appointed California-licensed psychologist prior to commencing practice as a psychologist and no later than January 31, 2001.

It is so ORDERED January 5, 2001.



FOR THE BOARD OF PSYCHOLOGY
Martin R. Greenberg, Ph.D., President

1 BILL LOCKYER, Attorney General
of the State of California
2 JOSEPH P. FURMAN, State Bar No. 130654
Deputy Attorney General
3 California Department of Justice
300 South Spring Street, Suite 1702
4 Los Angeles, California 90013
Telephone: (213) 897-2531
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF PSYCHOLOGY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues Against:

12 OLIVER B. WILLIAMS, PH.D.,
3600 S. Harbor Blvd., No. 86
13 Oxnard, California 93035

14 Applicant/Respondent.

Case No. X-38

OAH No. L-2000070309

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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16
17 IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the
18 above-entitled proceedings, that the following matters are true:

19 PARTIES

20 1. Thomas S. O'Connor ("complainant") is the Executive Officer of the
21 Board of Psychology ("Board"). Complainant brought this action solely in his official capacity
22 as the Board's Executive Officer and is represented in this matter by Bill Lockyer, Attorney
23 General of the State of California, by Joseph P. Furman, Deputy Attorney General.

24 2. Oliver B. Williams, Ph.D. ("respondent") is represented in this proceeding
25 by Michael Goch, Esq., whose address is Law Offices of Michael Goch, 21800 Oxnard Street,
26 Suite 840, Woodland Hills, CA 91367-3640.

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1. PSYCHOLOGICAL EVALUATION Prior to commencing practice as a psychologist and no later than January 1, 2001, and on a periodic basis thereafter as may be required by the Board or its designee, respondent shall undergo a psychological evaluation (and psychological testing, if deemed necessary) by a Board-appointed California-licensed psychologist. Respondent shall sign a release which authorizes the evaluator to furnish the Board a current DSM IV diagnosis and a written report regarding the respondent's judgement and/or ability to function independently as a psychologist with safety to the public, and whatever other information the Board deems relevant to the case. The completed evaluation is the sole property of the Board. Respondent shall not commence practice as a psychologist prior to his being advised by the Board that it has reviewed the completed psychological evaluation and concluded from the results of the evaluation that respondent may commence the practice of psychology under the terms of this Stipulated Settlement and Disciplinary Order.

If ongoing psychotherapy is recommended in the psychological evaluation, the Board will notify respondent in writing to submit to such therapy and to select a psychotherapist for approval by the Board or its designee within 30 days of such notification. The therapist shall

1) be a California-licensed psychologist with a clear and current license; 2) have no previous business, professional, personal or other relationship with respondent; 3) not be the same person as respondent's practice monitor. Frequency of psychotherapy shall be determined upon recommendation of the treating psychotherapist with approval by the Board or its designee; however, psychotherapy shall, at a minimum, consist of one one-hour session per week. Respondent shall continue psychotherapy until released by the approved psychologist and approved by the Board or its designee. The Board or its designee may order a re-evaluation upon receipt of the therapist's recommendation. Despite the above requirement that the Board approved psychotherapist who is selected to provide ongoing psychotherapy, if ongoing psychotherapy is recommended in the psychological evaluation, shall have no previous business, professional, personal or other relationship with respondent, respondent shall be entitled to make the non-binding proposal that he be allowed to submit for the Board's approval or rejection his present psychotherapist with whom he presently has an ongoing patient-psychotherapist relationship.

Respondent shall execute a release authorizing the therapist to provide to the Board any information the Board or its designee deems appropriate, including quarterly reports of respondent's therapeutic progress. Respondent shall furnish a copy of this Decision to the therapist. If the therapist believes the respondent cannot continue to independently render psychological services, with safety to the public, he/she shall notify the Board immediately. The Board approved psychotherapist providing ongoing psychotherapy may, on an annual basis, provide the Board with a non-binding recommendation as to the necessity of continuing with the ongoing psychotherapy.

Respondent shall pay all costs associated with the psychological evaluation and ongoing psychotherapy. Failure to pay costs will be considered a violation of probation.

2. PRACTICE MONITOR Within 90 days of the effective date of this Decision, respondent shall submit to the Board or its designee for prior approval, the name and qualifications of a psychologist who has agreed to serve as a practice monitor/billing monitor. The monitor shall 1) be a California-licensed psychologist with a clear and current license; 2)

1 have no prior business, professional, personal or other relationship with respondent; and 3) not be
2 the same person as respondent's therapist. The monitor's education and experience shall be in
3 the same field of practice as that of the respondent.

4 Once approved, the monitor shall submit to the Board or its designee a plan by
5 which respondent's practice shall be monitored. Monitoring shall consist of a least one hour per
6 week of individual face to face meetings and shall continue during the entire probationary period.
7 The respondent shall provide the monitor with a copy of this Decision and access to respondent's
8 fiscal and/or patient records. Respondent shall obtain any necessary patient releases to enable the
9 monitor to review records and to make direct contact with patients. Respondent shall execute a
10 release authorizing the monitor to divulge any information that the Board may request. It shall
11 be respondent's responsibility to assure that the monitor submits written reports to the Board or
12 its designee on a quarterly basis verifying that monitoring has taken place and providing an
13 evaluation of respondent's performance. The monitor may, on an annual basis, provide the Board
14 with a non-binding recommendation as to the necessity of continuing with the monitoring.

15 Respondent shall notify all current and potential patients of any term or condition
16 of probation which will affect their therapy or the confidentiality of their records (such as this
17 condition which requires a practice monitor/billing monitor). Such notifications shall be signed
18 by each patient prior to continuing or commencing treatment.

19 If the monitor quits or is otherwise no longer available, respondent shall obtain
20 approval from the Board for a new monitor within 30 days. If no new monitor is approved within
21 30 days, respondent shall not practice until a new monitor has been approved by the Board or its
22 designee. During this period of non-practice, probation will be tolled and any period of non-
23 practice shall not apply to the reduction of this probationary period. Respondent shall pay all
24 costs associated with this monitoring requirement. Failure to pay these costs shall be considered
25 a violation of probation.

26 3. RESTRICTION OF PATIENT POPULATION For at least the first five
27 (5) years of probation, respondent shall be entirely prohibited from providing individual
28 psychotherapy to female patients. Respondent is not prohibited from providing psychotherapy to

1 female patients in a group therapy setting, which is defined as a setting in which two or more
2 psychotherapy patients are being seen by respondent simultaneously in the same room. After the
3 first five (5) years of probation, respondent shall be permitted to provide individual
4 psychotherapy to female patients only if he provides written recommendations, from both the
5 psychologist who served as the Board approved practice monitor and from either the Board
6 approved psychotherapist providing ongoing psychotherapy or the Board approved psychological
7 evaluator if ongoing psychotherapy was not recommended in the psychological evaluation,
8 stating that it is safe for respondent to provide individual psychotherapy to female patients.

9 4. ONGOING TREATMENT PROGRAM Respondent shall participate in
10 on-going treatment and/or out-patient treatment such as receiving individual and/or group
11 therapy from a psychologist trained in alcohol and drug abuse treatment; and/or attend Twelve
12 Step meetings or the equivalent as approved by the Board or its designee at least once a week
13 during the first year of probation. Respondent shall provide documentation of attendance at
14 Twelve Step meetings or the equivalent on a quarterly basis to the Board or its designee.

15 All expenses associated with the treatment shall be paid by respondent.

16 5. ABSTAIN FROM ALL NON-PRESCRIBED, CONTROLLED DRUGS
17 AND ALCOHOL AND SUBMIT TO TESTS AND SAMPLES Respondent shall abstain
18 completely from the personal use or possession of controlled substances as defined in the
19 California Uniform Controlled Substances Act, and dangerous drugs as defined by Section 4211
20 of the Business and Professions Code, or any drugs requiring a prescription unless respondent
21 provides the Board or its designee with documentation from the treating physician and surgeon
22 that the prescription was legitimately issued and is a necessary part of the treatment of
23 respondent. Respondent shall abstain completely from the use of alcoholic beverages.
24 Respondent shall undergo random, biological fluid testing as determined by the Board or its
25 designee. Any confirmed positive finding will be considered a violation of probation.
26 Respondent shall pay all costs associated with such testing. The length of time and frequency of
27 this testing condition will be determined by the Board or its designee. Orders forbidding
28 respondent from personal use or possession of controlled substances or dangerous drugs do not

1 apply to medications lawfully prescribed to respondent for a bona fide illness or condition by a
2 physician and surgeon. Respondent shall provide the Board or its designee with written
3 documentation from the treating physician and surgeon who prescribed the medication(s).

4 6. ETHICS COURSE Within 90 days of the effective date of this Decision,
5 respondent shall submit to the Board or its designee for prior approval a course in laws and ethics
6 as they relate to the practice of psychology. Said course must be successfully completed at an
7 accredited educational institution or through a provider approved by the Board's accreditation
8 agency for continuing education credit. Said course must be taken and completed within one
9 year from the effective date of this Decision. The cost associated with the law and ethics course
10 shall be paid by respondent.

11 7. PROBATION COSTS Respondent shall pay the costs associated with
12 probation monitoring each and every year of probation. Such costs shall be payable to the Board
13 of Psychology at the end of each fiscal year (July 1 - June 30). Failure to pay such costs shall be
14 considered a violation of probation.

15 The filing of bankruptcy by respondent shall not relieve respondent of the
16 responsibility to repay investigation and enforcement costs

17 8. OBEY ALL LAWS Respondent shall obey all federal, state, and local
18 laws, and all regulations governing the practice of psychology in California including the ethical
19 guidelines of the American Psychological Association. A full and detailed account of any and all
20 violations of law shall be reported by the respondent to the Board or its designee in writing
21 within seventy-two (72) hours of occurrence.

22 9. QUARTERLY REPORTS Respondent shall submit quarterly
23 declarations under penalty of perjury on forms provided by the Board or its designee, stating
24 whether there has been compliance with all the conditions of probation.

25 10. PROBATION COMPLIANCE Respondent shall comply with the
26 Board's probation program and shall, upon reasonable notice, report to the assigned District
27 Office of the Medical Board of California or other designated probation monitor. Respondent
28 shall contact the assigned probation officer regarding any questions specific to the probation

1 order. Respondent shall not have any unsolicited or unapproved contact with 1) complainants
2 associated with the case; 2) Board members or members of its staff; or 3) persons serving the
3 Board as expert evaluators.

4 11. INTERVIEW WITH BOARD OR ITS DESIGNEE Respondent shall
5 appear in person for interviews with the Board or its designee upon request at various intervals
6 and with reasonable notice.

7 12. CHANGES OF EMPLOYMENT Respondent shall notify the Board in
8 writing, through the assigned probation officer, of any and all changes of employment, location,
9 and address within 30 days of such change.

10 13. TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-
11 STATE NON-PRACTICE In the event respondent should leave California to reside or to
12 practice outside the State or for any reason should respondent stop practicing psychology in
13 California, respondent shall notify the Board or its designee in writing within ten days of the
14 dates of departure and return or the dates of non-practice within California. Non-practice is any
15 period of time exceeding thirty days in which respondent is not engaging in any activities defined
16 in Sections 2902 and 2903 of the Business and Professions Code. Periods of temporary or
17 permanent residency or practice outside California or of non-practice within California will not
18 apply to the reduction of this probationary period, although the Board may allow respondent to
19 complete certain terms of probation that are not associated with active practice.

20 14. EMPLOYMENT AND SUPERVISION OF TRAINEES If respondent is
21 licensed as a psychologist, he shall not employ or supervise or apply to employ or supervise
22 psychological assistants, interns or trainees during the course of this probation. Any such
23 supervisory relationship in existence on the effective date of this probation shall be terminated
24 by respondent and/or the Board.

25 15. FUTURE REGISTRATION OR LICENSURE If respondent is currently
26 registered as a psychological assistant and subsequently obtains other psychological assistant
27 registrations or becomes licensed as a psychologist during the course of this probationary order,
28 respondent agrees that this Decision shall remain in full force and effect until the probationary

1 period is successfully terminated. Future registration or licensure shall not be approved,
2 however, until respondent is currently in compliance with all terms and conditions of probation.

3 16. VIOLATION OF PROBATION If respondent violates probation in any
4 respect, the Board may, after giving respondent notice and the opportunity to be heard, revoke
5 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
6 Revoke Probation is filed against respondent during probation, the Board shall have continuing
7 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
8 is final. No Petition for Modification or Termination of Probation shall be considered while
9 there is an Accusation or Petition to Revoke Probation pending against respondent.

10 17. COMPLETION OF PROBATION Upon successful completion of
11 probation, respondent's license shall be fully restored.

12
13 ACCEPTANCE

14 I have carefully read the above Stipulated Settlement and Disciplinary Order and
15 have fully discussed the terms and conditions and all other matters contained therein with my
16 attorney Michael Goch, Esq. I understand the effect this Stipulated Settlement and Disciplinary
17 Order will have on my Psychologist's License. I enter into this Stipulated Settlement voluntarily,
18 knowingly, and intelligently, and I agree to be bound by the Disciplinary Order and Decision of
19 the Board of Psychology.

20 DATED: Oct 2, 2000

21 
22 OLIVER B. WILLIAMS, PH.D.
Respondent

23 I have carefully read and fully discussed with my client, respondent Oliver B.
24 Williams, Ph.D., the terms and conditions and all other matters contained in the above Stipulated
25 Settlement and Disciplinary Order, and I approve of its form and content.

26 DATED: October 9, 2000

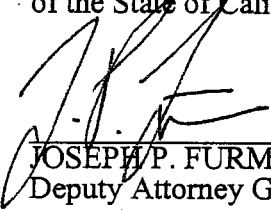
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28 MICHAEL GOCH, ESQ.
Attorney for Respondent

1 ENDORSEMENT

2 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
3 submitted for consideration by the Board of Psychology.

4
5 DATED: Nov. 27, 2000.

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7
8 BILL LOCKYER, Attorney General
9 of the State of California

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11 
12 JOSEPH P. FURMAN
13 Deputy Attorney General

14 Attorneys for Complainant

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25 Stipulation 6/19/00 HD
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Exhibit A:
Statement of Issues No. X-38

EXHIBIT A
SOI

1 BILL LOCKYER, Attorney General
of the State of California
2 JOSEPH P. FURMAN, State Bar No. 130654
Deputy Attorney General
3 California Department of Justice
300 South Spring Street, Suite 5212
4 Los Angeles, California 90013
Telephone: (213) 897-2531
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF PSYCHOLOGY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues Against:

Case No. X38

12 **OLIVER B. WILLIAMS, Ph.D.**
13 3600 S. Harbor Blvd., No. 86
Oxnard, Ca. 93035

STATEMENT OF ISSUES

14 Applicant/Respondent.

15
16 Complainant alleges:

17 **PARTIES**

18 1. Thomas S. O'Connor ("Complainant") brings this Statement of Issues
19 solely in his official capacity as the Executive Officer of the Board of Psychology ("Board") of
20 the Department of Consumer Affairs, State of California.

21 2. On or about June 23, 1999, Oliver B. Williams, Ph.D. ("respondent")
22 applied to the Board for the issuance of a psychologist's license. On or about September 28,
23 1999, the Board denied respondent's application. On or about October 29, 1999, respondent
24 requested a hearing before the Board.

25
26 **JURISDICTION**

27 3. This Statement of Issues is brought before the Board under the authority of
28 the following sections of the California Business and Professions Code ("Code"):

1 A. Section 480 of the Code provides, in part:

2 "(a) A board may deny a license regulated by this code on the
3 grounds that the applicant has one of the following:

4 "(1) Been convicted of a crime. A conviction within the meaning
5 of this section means a plea or verdict of guilty or a conviction following a
6 plea of nolo contendere. Any action which a board is permitted to take
7 following the establishment of a conviction may be taken when the time
8 for appeal has elapsed, or the judgment of conviction has been affirmed on
9 appeal, or when an order granting probation is made suspending the
10 imposition of sentence, irrespective of a subsequent order under the
11 provisions of Section 1203.4 of the Penal Code.

12 "

13 "(3) Done any act which if done by a licentiate of the business or
14 profession in question, would be grounds for suspension or revocation of
15 license.

16 "The board may deny a license pursuant to this subdivision
17 only if the crime or act is substantially related to the qualifications,
18 functions or duties of the business or profession for which
19 application is made."

20 B. Section 2960 of the Code provides, in part:

21 "The board may refuse to issue any registration or license,
22 or may issue a registration or license with terms and conditions, or
23 may suspend or revoke the registration or license of any registrant
24 or licensee if the applicant, registrant, or licensee has been guilty of
25 unprofessional conduct. Unprofessional conduct shall include, but
26 not be limited to:

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1 "(a) Conviction of a crime substantially related to the
2 qualifications, functions or duties of a psychologist or
3 psychological assistant.

4 "

5 "(n) The commission of any dishonest, corrupt, or
6 fraudulent act.

7 ""

8 C. Section 2964.6 of the Code provides:

9 "An administrative disciplinary decision that imposes terms
10 of probation may include, among other things, a requirement that
11 the licensee who is being placed on probation pay the monetary
12 costs associated with monitoring the probation."

13 D. Section 125.3 of the Code provides that the board may request the
14 administrative law judge to direct a licensee found to have committed a violation or violations
15 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17
18 FIRST CAUSE FOR DENIAL

19 (Criminal Convictions--Disorderly Conduct, Indecent Exposure, Battery, Reckless Driving)

20 4. Respondent's application for the issuance of a psychologist's license is
21 subject to denial under Code sections 480, subdivision (a)(1) and 2960, subdivision (a), in that
22 respondent has sustained multiple convictions for crimes substantially related to the
23 qualifications, functions or duties of a psychologist--namely, disorderly conduct, indecent
24 exposure, battery, and reckless driving, as follows:

25 A. On or about and during June 1988, in the matter entitled , *People of*
26 *the State of California v. Oliver Benjamin Williams*, Santa Barbara County Municipal Court No.
27 289781, respondent was convicted of the crimes of battery, in violation of Penal Code section
28 242, a misdemeanor, and indecent exposure, in violation of Penal Code section 314,

1 subparagraph 1, a misdemeanor.¹ The offenses occurred on April 25, 1988, in Santa Barbara,
2 California. According to respondent, he "removed all clothing and showered in a women's
3 shower room (dormitory [sic] on campus-UCSB)." Respondent was sentenced to thirty (30)
4 days in jail and was placed on formal probation for a period of three (3) years.²

5 B. On or about and during July 1975, respondent was convicted of the
6 crime of disorderly conduct by publicly exposing or displaying his genitals, in violation of
7 Penal Code section 314, subparagraph 1, or 647, a misdemeanor. The offense occurred in
8 Irvine, California in or about April 1975.³ According to respondent, respondent "removed all
9 clothing and exposed self to woman taking a shower in a dorm shower room."

10 C. On or about and during March 23, 1973, respondent was convicted
11 of the crimes of disturbing the peace by publicly exposing or displaying his genitals, in violation
12 of Penal Code section 415, a misdemeanor, and battery, in violation of Penal Code section 242, a
13 misdemeanor. The offenses occurred in or about February 1973 in the Westwood area of Los
14 Angeles, California. According to respondent, respondent touched a woman "from behind in
15 order to gain her attention." Prior to doing so, respondent "removed all clothing and exposed self
16 to women sunning around a private (apartment building) swimming pool in the vicinity of
17 UCLA." Respondent was sentenced to 24 months probation.

18 D. On or about and during September 1970, respondent was convicted
19 of reckless driving, in violation of Vehicle Code section 23103, a misdemeanor. The offense
20 occurred in Los Angeles, California in or about July 1970.⁴ Respondent was sentenced to ten
21 days in jail or a fine.

22 1. Respondent was charged with three counts of indecent exposure and one count of
23 battery.

24 2. Respondent served 18 days in custody beginning January 5 through and including
25 January 22, 1989.

26 3. The City of Irvine is located in Orange County. All records pertaining to this matter
27 have been destroyed per section 68153 of the Government Code.

28 4. Respondent initially was charged with driving under the influence of alcohol or drugs or
both. All records pertaining to this matter have been destroyed.

1 E. On or about and during May 1970, respondent was convicted of
2 the crime of disorderly conduct by publicly exposing or displaying his genitals, in violation of
3 Penal Code section 314, subparagraph 1, or 647, a misdemeanor. The offense occurred in Playa
4 del Rey, California. According to respondent, respondent "removed all clothing and exposed self
5 to woman washing car in a driveway."

6 F. On or about and during March 1969, respondent was convicted of
7 the crime of indecent exposure by publicly exposing or displaying his genitals, a
8 misdemeanor. The offense occurred in Lincoln, Nebraska in or about March 1969.⁵ According
9 to respondent, respondent "removed all clothing and exposed self to adult women--various
10 locations."

11
12 **SECOND CAUSE FOR DENIAL**

13 **(Commission of Corrupt Acts)**

14 5. Respondent's application for the issuance of a psychologist's license is
15 subject to denial under Code section 2960, subdivision (n), in that respondent committed corrupt
16 acts, as follows:

17 A. The facts and allegations set forth above under paragraph 4,
18 subparagraphs A through F, inclusive, are incorporated here by reference.

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26 _____
27 5. All records pertaining to this matter have been destroyed in accordance with the
28 Nebraska Records management Schedule 18 Rules and Regulations for Records Retention and
Disposition.

1 PRAYER

2
3 **WHEREFORE**, Complainant requests that a hearing be held on the matters
4 herein alleged and that, following the hearing, the Board issue a decision:

- 5 1. Denying the application for the issuance of a psychologist's license to
6 respondent;
7 2. Ordering respondent to pay the Board the reasonable costs of the
8 investigation and enforcement of this case, and, if placed on probation, the costs of probation
9 monitoring pursuant to section 2964.6 of the Code; and,
10 3. Taking such other and further action as the Board deems necessary and
11 proper.

12
13
14 DATED: June 13, 2000.

15
16 
17 THOMAS S. O'CONNOR
18 Executive Officer
19 Board of Psychology
20 Department of Consumer Affairs
21 State of California
22 Complainant
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27 JPF:jpf
28 a:/oliverwilliams.statemientoissues